

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No.	CV-13-7881-UA (AS)	Date	February 26, 2014
Title	Catherine Ann L. Lao, Plaintiff v. Administrative Office of the United States Courts for the Enforcement of Equal Justice Under the Law, et al., Defendants.		

Present: The Honorable	Alka Sagar, United States Magistrate Judge		
	Alma Felix	N/A	
	Deputy Clerk	Court Reporter / Recorder	
	Attorneys Present for Plaintiff:	Attorneys Present for Defendants:	
	N/A	N/A	

Proceedings: (IN CHAMBERS) ORDER

On October 24, 2013, Plaintiff Catherine Ann L. Lao filed a Complaint, pursuant to 42 U.S.C. §1983, together with a request to proceed without prepayment of the filing fee (Docket Entry No. 1). On November 7, 2013, the Court issued an Order denying Plaintiff's request to proceed without prepayment of the filing fee (Docket Entry No. 2). In that Order, the Court permitted Plaintiff an opportunity to address the jurisdictional and pleading defects discussed therein in a revised complaint. On February 19, 2014, the Clerk of the Court issued a Notice of Discrepancy and Order, indicating that Plaintiff's Amended Complaint, submitted on February 14, 2014, would not be filed but instead rejected, because it violated Local Rule 5-4.2 and the Court's proscription on electronic filings by non-prisoner pro se litigants (Docket Entry No. 4).

Local Rule 5-2 of this Court indicates that the method for proceeding without prepayment of the filing fee is done through a motion to the Court. The denial of a motion to proceed without prepayment of the filing fee prevents filing of the Complaint with the Clerk of the Court. Therefore, the Court's November 7, 2013 Order denying Plaintiff's application to proceed without prepayment of the filing fee, foreclosed filing of the Complaint with the Clerk of the Court, and thus terminated the case. Therefore IT IS HEREBY ORDERED that:

1. The Court's January 24, 2014 Order to Show Cause (Docket Entry No. 3) is DISCHARGED;
2. The Clerk of the Court is directed to terminate this civil action;
3. If Plaintiff wishes to pursue this action further, she must file a new Complaint. If she wishes to continue and proceed without prepayment of the filing fee, she must file a new application with the Court, in accordance with Local Rule 5-2 of the United States District

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Court for the Central District of California, together with a new Complaint. Plaintiff is advised that pursuant to Federal Rule of Civil Procedure 8(a), all that is required is a “short and plain statement of the claim showing that the pleader is entitled to relief.” In any new Complaint, Plaintiff should confine her allegations to those operative facts supporting each of her claims, keeping in mind the dictates of the Court’s November 7, 2013 Order; and

4. The Clerk of the Court is directed to treat any new Complaint filed by Plaintiff as a new civil action, assigning it a different case number than the one assigned to the Complaint rejected by the Court on November 7, 2013.